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Note: DM comments are in RED, not part of conversation. Highlighted parts may be of interest

Scott: This is the toughest job that I've every taken on. My schedule is not necessarily my own. When you sent the text earlier today about honoring the time to make a phone call ... when you and I try to set something up, if it's not set up for in the evening I don't know what's going to come through my door at any given time. It's not that.

Caller: That's fine, I would just expect a text saying I'm not going to be able to do it so someone's not waiting around.

Scott: Yes. I will try to stay on top of that about juggling. If your understanding what's going. Normally, a chair of agriculture wouldn't entertain this dialogue with you because it's potentially fraught with peril. I'll do it for the reasons I stated yesterday. I will try to do it. This is more back channels. I'll have the conversation with you. I did not want to see my name in the paper about talking to you on the phone. I do not want you to talk about it on Facebook or in Social Media. If its you and I having a conversation, I'm more than willing to do that. Then if you need something officially from the department, and I know you will, you'll get that in writing.

Caller: Unfortunately, when I've tried, they've refused.

Scott: Yeah, I know. Staff sees the world in black and white. That's what they do and they are trained to do it. It's probably not a bad thing.

My world is the world of grey and trying to see what's going on. Where some of the information that I might share with you in the course of our dialogue, the staff might say you should put in a UIPA request for that. I don't know that that's necessarily necessary and that's a decision I get to make.

Caller: Let me stop you here though. I'm not comfortable talking if I can't actually inform the public. If you want to stop the conversation now, we can. To me, if people have been living in homes that have been known to have chemical in them and your department has done nothing for four or five years, they need to know and they need to know now. It's something that needs to be cleaned up and publicized and taken care of. To me it's definitely negligence is going on somewhere. To me, it almost borderlines on criminal negligence. What's been going on.

For me to talk to you and keep it all just between me and you doesn't work for me.

Scott: I wasn't necessarily saying that. So that we are crystal clear, cause I've heard from other folks that they've had misunderstandings with you verbally. So that it was clear, anything that's going to get published should be in writing. I understand you are looking for information you can go forward with.

Caller: Can you give me an example of a misunderstanding that someone cited.

Scott: I should have taken notes. It was a verbal conversation with ... I think Tom gave me one that they mentioned something on the phone and you misheard them. At least they say you did. It was along those lines.

Caller: But no idea what it was?

Scott: No, I wasn't really paying attention. It wasn't an issue for me. He said, she said, you know and basically ...

Caller: I'm usually pretty careful about if I take a note on something, I'm very specific about making sure that if I do publicize something its accurate to what my notes are from talking to somebody. If he's got an issue with something, feel free to let me know.

Scott: I will. When you tell me that, it's something that I believe. As you know, I know the business you're in. Things are built on trust ... relationships. (why is Scott talking about caller's work life/job?) You tell me that. You and I, just starting out, I take that to be the case. Don't doubt it in the least.

Caller: My concern with Thomas is if he really ... To be honest, he might be a nice guy. If he's been sitting on results like this for four years and not informed you like you said, he should be out of a job right now. It's that serious.

Scott: I understand that. My take is that there is a far richer context than you are taking into account about what's going on. Pesticides are everywhere, they are ubiquitous. I think you know this. Columbia University has been doing a longitudinal study that's been going for over thirty years. They haven't found anybody anywhere on the planet that doesn't have PCB, EDT and Dioxin in their blood.

Caller: Yeah. Can you imagine if people had regulated it like they were supposed to, that might not be the case.

Scott: But that's just the thing. I give some of that to things like asbestos and EDT. They thought they were wonderful products in the beginning. I don't know that the intention was wrong and the science might not have been there yet, a true understanding of what's going on. They're out there. Then it's determining what, in this case it's the EPA science, tells us what is significant and what we need to be paying attention to. Pesticides are getting used anywhere. We're going to be able to find some traces of them in the air, in the soil and in the water. I do believe that that's an accurate statement. Then it's the levels that they are found on, is that something that society needs to be concerned with.

Caller: Are you expecting they'd found in everyone's home?

Scott: I wouldn't be surprised to some extent. Depending on if we're talking Ag test. If you are far enough away from Ag fields, probably not. But you'll find pesticides in there. We know that the leading cause of children being poisoned by pesticides are pesticides in the home.

We should probably start on your questions because I have fifteen minutes, not quite, before an administrator comes through the door from Animal Industries. I told you I'd attempt to call you at 4:15, but my meeting did run late so it's lucky it wasn't four.

Caller: If I [FOIA 00:07:16] all of those twelve homes and the twelve ones that tested positive, the Department of Ag will release that?

Scott: Yes they will. (Caller did UIPA for them and was denied because "HDOA is not required to summarize information. HRS section 92f-11C") Lester told me today, it turns out it's five homes, according to Lester looking at the files that he had. I think it might have in total twelve tests. There was a sixth home that was up country. Wasn't in Paia was in [nothawal 00:07:45] I think. That was Tim briefly looking at his records in his office when I called him about what the principal from the school said.

Caller: Mm-hmm

Scott: The principal said she hadn't heard from any of her student's families about wanting the testing. That's really where we would be looking if we hear from a principal that they want it.[crosstalk 00:08:17] (principal got caught in a lie here b/c parents **did** contact her. We reported to community and they called principal out on this, forcing her to call Lester and request pesticide testing done for her campus. Swabs of school building is scheduled for early Jan 2016...but Thomas Matsuda is now refusing to test the school. Seantor Kalani English has also refused to get involved even though several parents have called his office and the school.)

Caller: That's surprising.

Scott: We would ...[crosstalk 00:08:17]

Caller: That's surprising because I know people that have spoke with her. She denied that any parents had spoken with her?

Scott: To the ... Again, This is what I've been told by Lester. I don't ... If it's something your looking for, I can get you something in writing as to what was said.

Caller: No I'll just have the parent's that spoke with her go in and speak with her again. That's surprising cause she has heard from people. Parent's of people at the school. Especially the Hawaiian immersion parents. They seem to be more concerned for parent's in the Hawaiian immersion program.

So no plans on testing that school then?

Scott: Not at this point. Not unless there's an ask from the school itself. I imagine if, as you say, the parents are asking the principal, my expectations is that we would hear from them.

Caller: Does HC&S have the test results from all the homes that tested positive?

Scott: No, they were ... As I understand it ... I haven't spoken to them recently at all. They would like to see it but they don't get it. The homeowner gets it. Nobody else gets it until the case is closed and the investigation report is turned over. In this case, to the homeowner or the com plaintiff.

Caller: So they have no idea that six of the chemical they are using have been found in people's homes in Paia?

Scott: I would say they do, that's why they asked for the investigation. That was ... Obviously they believe there is something there that [crosstalk 00:10:11]

Scott: I'm not talking about the homeowner, I'm talking about HC&S. No one has notified them that homes have tested positive?

Scott: No.

Caller: Wow. Four years have gone by and they don't even know that their chemicals are ending up in people's homes and they need to change anything.

Scott: They need to be ... change anything ... They need to be very conscious of how they go about with their protocols for spraying. Especially adjacent to residences. They are very cognizant to that. Based on [crosstalk 00:10:48].. Sorry, go ahead

Caller: If they knew homes were tested positive and they had that information, then they would realize what they are doing is not working and they need to change it up. By not letting them know it's prolonging ... It seems to me the liability would place on the Department of Ag now for not letting them know that there's violations occurring. You can't have six chemical end up in someone's home and not think that something went wrong.

Scott: What I was told, (caller name) was this is all by rule and regulation. People get given the information they are supposed to get when they get to a certain point in the process.

Caller: Lester doesn't show up and question HC&S and show them the results. They are totally unaware that the test results have come back positive?

Scott: No they're not aware.

Caller: Wow.

Scott: As I understand it.

Caller: Okay.

Do you guys notify the state toxicologist when a home tests positive?

Dr Brooks?

Scott: I'd have to check on that, (caller name) . I'm unaware if Barbara gets notified if it tests positive.

Caller: How do you determine whether there's a health risk that needs to be evaluated by a health professional?

Scott: It's the results from the sampling were above the EPA's tolerance level, then it becomes significant. It would be my understanding that's when there would notification that there's some health risk. (EPA Pam Cooper says via recorded call 12/29/15 "there is no tolerance for drift. Tolerance has to do with food. Tolerance does not have to do with drift, and how much is on your window or on your clothes.")

Caller: The EPA has a specific tolerance level for residue in homes for each of those herbicides?

Scott: They have a ... As I understand it ... Again, so that you and I are clear going forward, there are probably a number of things specific to these pesticides residuals that you may have more information than I. (how is Scott able to testify as an "expert" before state and county legislative bodies on pesticide bills? He does not disclose that most folks know more about pesticides than he does) My job is many things. Agriculture is many things. You seem to be doing a very good job of researching this specific concern. I think my education will probably jump a notch too. Often this is left to the specialist in those different branches and in this case, the pesticide branch.

Caller: Thomas Matsuda and Lester Chan never notified you of any positive test results? Ever?

Scott: No, I was unaware of the positive test results.

Caller: Wow.

Do you know if this is happening on other islands too then? You could be in the dark on that?

Scott: I don't know if I would call it in the dark. The investigation is still ongoing.

As I understand it, the EPA gives the state five years to close one of these claims, these investigations. Don't have the calls coming in from the neighbor island or from Oahu. There is a select few places in the state where the calls are coming in for investigation.

Caller: So, no recommendations on ... You aren't going to issue any kind of notice to residents in Paia that might need to wash their houses down on the inside, clean things up, get rid of the residue, proactive testing, none of that?

Scott: Again, I will need to get continued to get amassed information and I will make a decision. I will keep you current.

Caller: Probably it's safe to say that a large of Paia's contaminated for inside the homes at this point. I mean, there seems like ...

Scott: You know ... You have to define contaminated.[crosstalk 00:15:18]

Caller: I would say contaminated when there's six different herbicides inside someone's home and there's no tolerance levels that take into account the combination of six.

Scott: But for each of the pesticides that we did test, there are tolerance levels. Defining contaminated, I would think you just make a pretty broad jump there with that last statement.

Caller: The combinations have never been tested. So you are aware that 2,4 D and Glyphosate were recently pulled cause they found out that together, they are much more toxic. You just can't have them together. So having six in a house together, that you are repeatedly exposed to, it's not like a one time exposure where you breath it in, but it's on the walls and the carpets and on your furniture every day. Degrading probably but you still are coming home to it every day. Your kids are coming home to it. I don't think any ones ... I feel like if a homeowner has that in their house, they're gonna want to know.

Scott: (caller name), I'm off to my next meeting.

Caller: Okay

Scott: But I can call you later in the evening. I can take this up again. I'll be here.

Caller: I don't even know if that's necessary. It sounds like there are some very clear violations. Sounds like you guys aren't gonna actually make any effort to do it quickly, which, it should have been done years ago. The most recent violation on December second where they were in clear violation of he label. The labels the law. The labels the law is what's always been said. No proactive testing, no warning of homeowners. I hope you've notified the Attorney General cause the liability seems like it would be huge for the state. Just to...

Scott: Again, I'm listening to you (caller name) but I think you are making a very large jump as to what's going on. That said. We'll keep talking if you want. I'm gonna jump.

Caller: Just to humanize it a little bit. One of these people who had their homes tested had serious health issues, finally ended up moving. It's not like these people ... there are no affects. You might not say it's probable, but to have a case four years ago where someone's house was contaminated and not to get on that quickly, close the case, issue whatever citations need to be issues or whatever protocols need to be issued to have the operator who was spraying change their ways so it doesn't happen again. Then it happens again, to years later Then it happens again, two years later. Every two years cycle of the cane. What is does to property values when people find out. There's just a whole mess of stuff.

Scott: I know you're going to let me go, right?

Caller: I will. You have a good day.

Scott: Okay, bye.

Caller: Take care.

Scott Enright. December 18, 2015

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